

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KEINALD V. PARNELL,

Petitioner,

vs.

SCOTT R. FRAKES,

Respondent.

**8:19CV32**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Petitioner's "Motion of Objection and Denial of Respondents Request for Time Extension filed on September 5, 2019.<sup>1</sup> ([Filing No. 13](#).) Petitioner objects to Respondent's request for an extension of time ([filing no. 11](#)) filed on August 28, 2019, claiming that all of Respondent's filings were due August 1, 2019, and Respondent is attempting "to further obstruct the justice of this court" by requesting an extension. ([Filing No. 13](#).)

Upon consideration, the court will deny Petitioner's objection. First, Respondent was only required to file a motion for summary judgment or state court records in support of an answer by August 1, 2019. (*See* TEXT ORDER Docket No. 9.) Respondent filed the state court records on July 31, 2019, and, in accordance with the court's progression order, Respondent had 30 days, or until August 30, 2019, to file his answer and supporting brief. ([Filing No. 6 at CM/ECF p. 5](#), ¶ 4.B.) Second, the court has already determined that Respondent's request for an extension should be granted and entered an order to that effect on August 30, 2019. (*See* TEXT ORDER Docket No. 12.) Respondent's answer and

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<sup>1</sup> When originally filed, Petitioner's objection was unsigned, and the clerk's office entered a Text Notice of Deficiency directing Petitioner to correct the signature deficiency within 15 days. Petitioner corrected the deficiency on September 12, 2019. (*See* Docket Entry, [Filing No. 13](#).)

supporting brief are due September 13, 2019, and after Respondent's brief is filed, Petitioner shall have 30 days to file and serve a brief in response.

IT IS THEREFORE ORDERED that Petitioner's motion ([filing no. 13](#)) is denied.

Dated this 12th day of September, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge